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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/816,155

03/31/2004

Bogdan Cocosel

GOOGP025

9031

23689

7590

03/17/2008

Jung-hua Kuo  
Attorney At Law  
PO Box 3275  
Los Altos, CA 94024

EXAMINER

CRIBBS, MALCOLM D

ART UNIT

PAPER NUMBER

2115

MAIL DATE

DELIVERY MODE

03/17/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/816,155	<b>Applicant(s)</b> COCOSEL, BOGDAN	
	<b>Examiner</b> MALCOLM D. CRIBBS	<b>Art Unit</b> 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

**Claims 1-35 are presented for examination.**

5 ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

10 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15 Claims 1-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ervin [Patent No. US 6,504,266] in view of Elwood [Patent No. US 6,216,479].

**As per claim 1**, Ervin teaches the invention comprising:

20 a signal quality detector [Fig. 2 overload detector 218] configured to detect a signal quality between a power supply line and a system component [Col 3 line 65 – Col 4 line 1]; and

a delay generator configured to generate a delay in response to the signal quality detector detecting an insufficient signal quality [wherein power up is delayed until sufficient power is available and because the power is delayed [Col 3 lines 40-44] until the power is sufficient, the power is obviously rechecked before applying power[Col 3 lines 41-42]].

25

Ervin teaches a method of delaying power up, upon power failure, of components based on the signal quality [insufficient or sufficient power] wherein the components are powered upon sufficient power; however Ervin does not teach a method of generating a delay between the powering of the component.

5

Elwood discloses another method supplying power to components upon a power failure by delaying the startup time. Elwood teaches a method of selecting a delay to delay the powering of each component after a power failure [Col 2 line 50 - Col 3 line 39 noting Col 3 lines 44-48].

10

It would have been obvious to one of ordinary skill of the art having the teachings of Ervin and Elwood at the time the invention was made, to modify the method of delaying power of components after a power failure of Ervin to include the ability to set a preferable delay for the start up of each component as taught by Elwood. One of  
15 ordinary skill in the art would be motivated to make this combination of including, setting a desired delay, of Elwood as doing so would add flexibility to set a user-desired start up delay of components after a power failure while also further conserving power by eliminating the method of continually checking the power as taught by Ervin.

20

**As per claims 2 and 3,** Elwood teaches the invention wherein the delay generator performs an iteration of the delay generation each time the signal quality detector detects insufficient signal quality; and

wherein the delay is randomly selected between 0 and  $2^{n-1}$  where n is an iteration number and T is a period from which a delay is selected on a first iteration of generating the delay [wherein it would have been obvious to one of ordinary skill in the art to include any delay preferable to the user].

5

**As per claim 4**, Ervin in view of Elwood teach the invention wherein the switch disconnects the power supply line from the system component upon the signal quality detector detecting insufficient signal quality [wherein inherently in order to disconnect the power upon an insufficient signal quality one of ordinary skill in the art would include  
10 a switch to disconnect the power].

**As per claim 5**, Ervin teaches the invention wherein signal quality detector detects the insufficient signal quality if the signal quality on the power supply line is less than a threshold signal quality [Col 3 line 65 – Col 4 line 12].

15

**As per claim 6**, Elwood teaches the invention further comprising a timer configured to await the delay and to cause the signal quality detector to again detect the signal quality upon expiration of the delay [Col 3 lines 19-23].

**As per claim 7**, Ervin in view of Elwood teach the invention wherein the system  
20 component is a disk drive [wherein Ervin in view of Elwood teach the invention including any component that consumes power, thus including a disk drive, which consumes power].

**As per claims 8-15**, it is directed to a system to implement the delay module as set forth in claims 1-7. Therefore, it is rejected on the same basis as set forth hereinabove.

5

**As per claims 16-23**, it is directed to a power management apparatus to implement the delay module as set forth in claims 1-7. Therefore, it is rejected on the same basis as set forth hereinabove.

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**As per claims 24-31**, it is directed to power management method of steps to implement the power management apparatus as set forth in claims 16-23. Therefore, it is rejected on the same basis as set forth hereinabove.

15

**As per claims 32-34**, it is directed to a resource management system to implement the delay module as set forth in claims 1-7. Therefore, it is rejected on the same basis as set forth hereinabove.

20

**As per claim 35**, it is directed to a resource management method of steps to implement the resource management system as set forth in claims 32-34. Therefore, it is rejected on the same basis as set forth hereinabove.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MALCOLM D. CRIBBS whose telephone number is (571)272-5689. The examiner can normally be reached on M-F 8AM-430PM.

5           If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for  
10   published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a  
15   USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Malcolm D Cribbs  
Examiner  
Art Unit 2115

March 3, 2008

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/Chun Cao/  
Primary Examiner, Art Unit 2115